

## REMARKS

Claims 1-6 and 15 are cancelled and no claims are added. Therefore, claims 7-14 and 16-22 are in the case.

### I. DRAWINGS

The Office Action objected to the drawings and suggested that FIG. 1, FIG. 5(A), FIG. 5(B) and FIG. 5(C) should be labeled. Two (2) replacement sheets of drawings for FIG. 1, FIG. 5(A), FIG. 5(B) and FIG. 5(C) are submitted concurrently herewith and labels have been added in all block elements where practical. Applicant believes the objection is fully addressed and therefore reconsideration is respectfully requested.

### II. ISSUES NOT BASED ON PRIOR ART

#### A. CLAIMS 7-14—35 U.S.C. 101

Claims 7-14 stand rejected under 35 U.S.C. 101 as allegedly directed to non-statutory subject matter. The rejection is respectfully traversed.

The Office Action stated that claims 7 and 8 “do not specify that the sequence of instructions are on a computer readable medium.” Claims 7 and 8 as originally filed recited that the sequences of instructions are **stored in a first memory and a second memory**, and recited statutory subject matter in original form, because computer memory storing instructions is an apparatus or manufacture qualifying as statutory subject matter. Solely for the purpose of clarifying what was originally implicit, present claims 7 and 8 recite “a first memory of the first signaling unit and a second memory in the second signaling unit having one or more sequences of instructions stored therein.” The original claim language is merely reordered for clarity. The claims recite memory (an apparatus or manufacture) in which the instructions are stored. Since the claims as a whole recite a “system” comprising apparatus elements, claims 7 and 8 recite statutory subject matter.

Present claim 9 adopts the same language for consistency in comparison to claim 8.

Reconsideration of claims 7, 8 and 9 is respectfully requested.

Each of claims 10-14 depends from claim 7 and includes all features of claim 7. Therefore, each of claims 10-14 recites statutory subject matter. Reconsideration of claims 10-14 is respectfully requested.

B. CLAIM 6—DEFINITENESS ISSUE

Claim 6 stands rejected under 35 U.S.C. 112, second paragraph, as allegedly indefinite. Claim 6 is canceled herein and therefore the rejection is moot.

III. ISSUES RELATING TO ALLEGED PRIOR ART

A. CLAIMS 1-6, 15

Claims 1-6 and 15 stand rejected under 35 U.S.C. 102(e) as allegedly anticipated by Dunn et al., U.S. Patent No. 6,324,280 (hereinafter "Dunn"). Claims 1-6 and 15 are canceled herein and therefore the rejection is moot.

B. CLAIMS 16-22, 7-14

Applicants appreciate the indication that claims 16-22 are allowed. Applicants appreciate the indication that claims 7-14 would be allowable if rewritten to address the Section 101 issues identified in the Office action. Applicants believe that present claims 7-14 are in allowable condition.

IV. CONCLUSION

Applicants believe that all issues raised in the Office Action have been addressed and for the reasons set forth above, respectfully submit that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone or other convenient medium if it is believed that such contact would further the examination of the present application.

Applicants petition for an extension of time under 37 CFR §1.136 for one (1) month and otherwise to the extent necessary to make this reply timely filed. The extension of time fee is submitted concurrently herewith. Throughout the pendency of this application, the

Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

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/ChristopherJPalermo#42056/  
Christopher J. Palermo, Reg. No. 42056

2055 Gateway Place, Suite 550  
San Jose, CA 95110-1089  
Tel. (408) 414-1080  
Fax (408) 414-1076